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By \_\_\_\_\_

*Justyna Zajac*  
(Signature of person mailing)  
Justyna Zajac

(Typed or printed name of person)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF:

Stafford McLean et al.

APPLICATION NO.: 09/901,362

: Examiner: Kim, Vickie Y.

FILING DATE: July 9, 2001

: Group Art Unit: 1614

USE OF DELTA OPIOID RECEPTOR LIGANDS :  
AND SEROTONIN REUPTAKE INHIBITORS IN  
THE TREATMENT OF CHEMICAL  
DEPENDENCIES

Mail Stop 49  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response of the Office Action dated April 4, 2003 in the above identified application.

**REMARKS**

**Claims Rejection**

The office communication of April 4, 2002, addresses claims 1, 2 and 9 which are readable upon the application's elected specie for the formula I wherein n is 1, X and Y are independently N, Z, and Z<sub>2</sub> are independently H, R<sub>1</sub> is benzyl, R<sub>2</sub> is -CON(CH<sub>2</sub>CH<sub>3</sub>)<sub>2</sub> and R<sub>3</sub> is OH.

Claims 1-2 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 98/52565, hereinafter referred to as WO '565, in view of US 6,001,848 hereinafter referred to as US '848 and US 6,503,905.